

May 20, 1975

Senator Carsten voting aye, Senator Keyes voting no. 22 ayes, 23 nays, Mr. President.

PRESIDENT: Motion fails.

CLERK: The next bill, Mr. President, is LB 325. The E & R amendments have been adopted. There is pending an amendment by Senator Anderson. It was the Anderson amendment that was laid over pending his arrival. In new section 3 added by standing committee 2, in line 3 strike "in attendance at a meeting". On page 4 line 11 strike "two-thirds" and insert "majority"; and in line 24 after "agenda" insert "to include items of an emergency nature only". In committee amendment 5, line 5 strike, "seven" and insert "ten". On page 8, line 4 strike "hundred eighty days" and insert "year".

SENATOR ANDERSON: Mr. President, members of the Legislature, is the Syas amendment still on that bill or is that.... I thought that was ahead of this amendment. The amendment that I have proposed is correcting three or four different things that are in the bill. One of them is in response to a part of the bill that Senator Syas had pointed out that needed some strengthening and this is the opportunity of the board to modify the agenda at the meeting. I have seen examples of how this has been used to prevent the public from knowing what is going on. Senator Syas talked to me about it, suggested one amendment, I have proposed in the amendment I have here a proposal that the board would be able to modify the agenda at a meeting only to include items of an emergency nature. The emergency nature is further defined in that same section in the act. The other things that I do in the amendment and first of all, a correction to the Syas amendment is made to the bill when it was discussed on General File. Senator Syas changed the two-thirds vote to a majority vote for going into a closed session. The way the whole thing got tangled up, we were amending both the bill and a committee amendment, and when we got the whole thing put together, we found out, the way the bill reads right now, would require a majority in attendance at a meeting and not a majority of the members of the body. I talked to Senator Syas about this and he indicated his intent was majority of the members of the public body, whether they be elected or appointed, and so we have struck in attendance at a meeting which is the complicating. Now, we would be back to what, I believe, is the intent of the Syas original amendment, and that is majority of the members of the body would be required to vote the body into a closed session. There is another mention of a two-thirds a little bit later on in that same section that was not picked up by the Syas amendment. This amendment changes that. The third item that is dealt with here is an extension of the time for preparing the minutes from 7 to 10 days. The fourth item is a change in the statute of limitations from 180 days to 1 year. Those are the changes that are proposed by the amendments and I move their adoption.

PRESIDENT: Any further discussion? Senator Syas.